

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LIGHTHOUSE RESOURCES INC., et al,

Plaintiffs,

and

BNSF RAILWAY COMPANY,

Plaintiff-Intervenor,

v.

JAY INSLEE, et al.,

Defendants,

WASHINGTON ENVIRONMENTAL
COUNCIL, et al.,

Defendant-Intervenors.

NO. 3:18-cv-05005-RJB

[PROPOSED] ORDER

This matter came before the Court on Plaintiffs' and Plaintiff-Intervenor's Daubert Motion to Exclude Defendants' Expert David Batker. Upon consideration of the briefs, declarations, exhibits, argument, and all materials filed in support of and in opposition, **IT IS HEREBY ORDERED** that Plaintiffs' and Plaintiff-Intervenor's Daubert Motion is **GRANTED**. The opinions and testimony of Defendants' expert witness David Batker are excluded under Rule 702 of the Federal Rules of Evidence.

[PROPOSED] ORDER GRANTING PLAINTIFFS'
AND PLAINTIFF-INTERVENOR'S DAUBERT
MOTION TO EXCLUDE DEFENDANTS' EXPERT
DAVID BATKER – 1 OF 3
(3:18-cv-05005-RJB)

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IT IS SO ORDERED

Dated this _____ day of _____, 2019.

THE HONORABLE ROBERT J. BRYAN
UNITED STATES DISTRICT JUDGE

Presented by

s/Kathryn K. Floyd

s/Jay C. Johnson

s/David L. Feinberg

s/Kyle W. Robisch

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(Admitted *pro hac vice*)

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[PROPOSED] ORDER GRANTING PLAINTIFFS'
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DAVID BATKER – 2 OF 3
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[PROPOSED] ORDER GRANTING PLAINTIFFS'
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